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ARTICLE VIII DEVELOPMENT STANDARDS FOR INDIVIDUAL USES

8.01 Application of Development Standards

The development standards listed herein are additional to other requirements in this Ordinance. These development standards are use-specific and apply to those uses designated with a 'D' in [Table 5-1, Table of Permitted Uses](#). Uses requiring approval of a special use or conditional use permit (designated with an 'S' or a 'C' in [Table 5-1](#)) shall also be subject to these standards as well as any additional standards or conditions required by permit-issuing board. Permit applications and site plans for these uses shall demonstrate how compliance with the applicable development standards will be achieved. Should there be a discrepancy between the Table of Permitted Uses and any other section of this Ordinance as to a use being permissible, the Table of Permitted Uses shall prevail.

8.02 General Standards for All Uses

The following rules apply to all development standards and uses listed below:

A. Property Separation

All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed use is to be located to the lot line of the closest use (or zoned property) from which the proposed use is to be separated.

B. Use Separation

All measurements shall be made by drawing straight lines from the nearest point on the wall of a proposed or existing principal building or edge of a proposed use to the nearest point on the wall of the principal building from which the subject building is to be separated, unless otherwise specified.

C. Outdoor Lighting

Outdoor lighting structures shall be located, angled, shielded, or limited in intensity so as to cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists.

D. Noise Levels

Unless otherwise specified herein, noncompliance with the noise level limits established by this Ordinance shall mean exceeding the specified noise limit for 5 or more of any 25 consecutive readings taken at 10-second intervals when measured at any point beyond the property line of the property from which the noise originates. If any requirement in this Ordinance exceeds those of the Noise Control Ordinance for Chowan County, the more restrictive standard shall apply.

8.03 Accessory Dwelling Units (on Single-Family Lots)

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. General Requirements

1. The accessory dwelling unit is permitted on the same lot with a principal dwelling unit.
2. No more than one accessory dwelling unit is permitted on the same lot with a principal dwelling unit.
3. No accessory dwelling unit shall be permitted on the same buildable lot with a two-family or multi-family dwelling or family care home.
4. The accessory dwelling unit shall be owned by the same person who owns the principal dwelling unit.

C. Accessory Dwelling Unit within a Detached Accessory Structure

1. The lot containing both the principal dwelling and a detached accessory dwelling shall have one and one-half times the minimum lot area required for the zoning district in which located.
2. Detached accessory dwelling units with a gross floor area of less than 600 square feet shall be located at least 10 feet from side and rear property lines. Accessory dwelling units with a gross floor area of 600 square feet or greater shall meet the setback requirements of the principal building.
3. Detached accessory dwelling units shall be located behind and at least 20 feet from the principal dwelling.
4. A detached accessory dwelling unit may be a manufactured home in zoning districts that permit manufactured homes to be located on individual lots.
5. A detached accessory dwelling unit may be a dwelling unit that is part of an accessory garage or a freestanding dwelling unit meeting the NC Building Code.
6. The total floor area of a detached accessory dwelling unit, other than a manufactured home, shall be no greater than 50 percent of the heated floor area of the principal building.

D. Accessory Dwelling Unit within a Principal Single-Family Dwelling

1. The principal building shall not be altered in any way so as to appear from a public or private road to be multi-family housing. Prohibited alterations include, but are not limited to, multiple entranceways, or multiple mailboxes. Access to the accessory dwelling unit shall be by means of an existing side or rear door, except where a new entrance is required by the NC Building Code. No new doorways or stairways to upper floors are permitted if they are attached to the side of a building facing a public or private road.

2. An accessory dwelling unit shall occupy no more than 25 percent of the heated floor area of the principal building. The sum of all accessory uses (including home occupations) in a principal building shall not exceed 25 percent of the total floor area.

8.04 Agricultural Chemicals, Pesticides or Fertilizers (Wholesale Trade of), Agricultural Products, Other Including Tobacco Auction Warehousing (Wholesale Trade of), and Animal and Animal Products, Other (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Property Separation

All structures, buildings or enclosed areas used for the operation shall be a minimum of 150 feet from all property lines.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

E. Fencing

Security fencing shall be provided around all outside storage areas.

F. Access

A truck route plan shall be submitted showing routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other land uses which would be negatively impacted by truck traffic.

G. Odors

The use shall not generate fumes or odors beyond what normally occurs in the zoning district in which it is located.

8.05 Airport or Air Transportation Facility

A. Where Development Standards are Required

A-1 and I-2 districts.

B. Minimum Area

Fifty acres for Basic Utility Stage 1 airport with 2,000-foot runway. More area is required for larger airports. Airport size and layout shall conform to *FAA Advisory Circular 150/5300-4B*.

C. Use Separation

There shall be a minimum 300-foot distance between the airport property and the nearest residence.

D. Fencing

Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum 6 feet in height.

8.06 Ammunition, Small Arms (Manufacture of)

A. Where Development Standards are Required

I-2 district.

B. Use Separation

No such facility shall locate within a 500-foot radius of any residentially-zoned or use property.

C. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of such a facility.

D. Operation

The facility and its operation shall observe all county and state regulations regarding fire prevention and protection requirements.

8.07 Amusement or Water Parks, Fairgrounds

A. Where Development Standards are Required

A-1 and B-1 districts.

B. Minimum Area

Minimum lot area shall be 5 acres.

C. Property Separation

No buildings or structures, temporary or otherwise, shall be located within 50 feet of any property line.

D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of the park activities.

E. Use Separation

No amusement equipment, machinery or mechanical device of any kind may be operated within 200 feet of any residentially-used or zoned property.

8.08 Animal Shelters

A. Where Development Standards are Required

A-1 district.

B. Minimum Area

The minimum lot area shall be 2 acres.

C. Outside Storage

Pens and runs located outdoors are prohibited.

D. Use Separation

Fifty feet minimum from any property line; 300 feet minimum from any residentially-zoned or used property.

E. Hours of Operation

The hours of operation shall be compatible with the land uses adjacent to the animal shelter.

F. Access

Animal shelters shall have direct access to a collector or higher capacity road.

8.09 Animal Slaughter or Rendering

A. Where Development Standards are Required

I-2 district.

B. Property Separation

All structures, buildings or enclosed areas used for the operation shall be a minimum of 150 feet from all property lines.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

E. Fencing

Security fencing shall be provided around all outside storage areas.

F. Access

A truck route plan shall be submitted showing routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other land uses which would be negatively impacted by truck traffic.

G. Odors

The use shall not generate fumes or odors beyond what normally occurs in the zoning district in which it is located.

8.10 Automobile Repair Services; Boat Building and Repair

A. Where Development Standards are Required

A-1 district.

B. Property Separation

All structures, buildings or enclosed areas used for the operation shall be a minimum of 150 feet from all adjoining residentially-zoned or used property lines.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Fencing and Screening

Security fencing shall be provided around all outside storage areas. All outside storage areas shall be screening from adjoining residential land uses in accordance with the standards of Section 16.04, B.

E. Access

The street of access shall be from a road which is capable of accommodating the traffic expected to be generated by the proposed use.

F. Odors

The use shall not generate fumes or odors that adversely impact the activities of the adjacent land uses.

G. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

8.11 Batting Cages

A. Where Development Standards are Required

B-1 district.

B. Security Fencing

Fencing, netting or other control measures shall be provided around three sides of the batting area to prevent balls from leaving the designated area.

C. Minimum Property Setbacks

All buildings and structures shall be a minimum of 50 feet from any residentially-zoned or used lot.

D. Screening

All off-street parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

F. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

8.12 Bed and Breakfast Inn

A. Where Development Standards are Required

R-15, R25, RMH25, R40, and A-1 districts.

B. Operation

1. The use must be owned and operated by a resident owner.
2. The use shall be located in a structure that was originally constructed as a dwelling.
3. Meals served on the premises shall be only for guests of the facility.

C. Signs

There shall be no exterior advertising except that which is permitted for a home occupation.

D. Screening

Parking lots shall be screened from adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.13 Boarding and Rooming House

A. Where Development Standards are Required

R-5, B-1, and B-3 districts.

B. Operation

1. The use must be owned and operated by a resident owner.
2. The use shall be located in a structure that was originally constructed as a dwelling.
3. The quarters utilized by boarders and occupants of the premises shall be in the principal residential structure.
4. Meals served on the premises shall be only for residents of the facility.

C. Signs

There shall be no exterior advertising except that which is permitted for a home occupation.

D. Screening

Parking lots shall be screened from adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.14 Building Supply Sales

A. Where Development Standards are Required

A-1 district.

B. Use Separation

Fifty feet minimum from any property line; three hundred feet minimum from any residentially-zoned or use lot.

C. Dust

All unpaved areas shall be maintained in a manner that prevents dust from leaving the property.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around all outside storage areas.

F. Screening

Parking lots, loading areas, and any outdoor storage areas shall be screened from an abutting residentially-used or zoned lot by a buffer yard which complies with the requirements of [Sections 16.02 and 16.04, B.](#)

G. Access

Access to the use shall be from a collector or higher capacity road.

8.15 Caretaker Dwelling

A. Where Development Standards are Required

All districts.

B. Operation

A building permit for the principal building must be obtained or the principal use must be initiated prior to occupancy.

C. Number

No more than one caretaker dwelling unit shall be permitted per lot.

D. Manufactured Homes

A caretaker dwelling may be a manufactured home in nonresidential districts. In residential districts, a caretaker dwelling may be a manufactured home only in those zoning districts that permit a manufactured home.

E. General Requirements

A caretaker dwelling shall:

1. Have an approved sewage disposal connection or system;
2. Meet all setbacks applicable to the principal building or use;
3. Be erected in accordance with the NC Building Code;
4. Be located on a lot that has sufficient lot area to meet the minimum lot area requirements for both the principal use and a single-family residence. In nonresidential districts, where there is no minimum lot area requirement for single-family dwellings, a minimum of 5,000 square feet is required for a caretaker dwelling in addition to the minimum lot area required for the principal use;
5. Be located behind and at least 20 feet from the principal building; and
6. Be owned by the same person that owns the principal building or use.

F. Screening

Caretaker dwellings that are manufactured homes shall be screened from abutting single-family residences by a buffer yard which complies with the requirements of [Section 16.02, B.](#)

8.16 Carnivals and Fairs

A. Where Development Standards are Required

A-1, B-1, B-2, B-3, I-1, and I-2 districts.

B. Minimum Lot Area

The minimum lot area shall be 3 acres.

C. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the carnival or fair.

D. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

E. Parking

The Zoning Administrator shall not approve the permit unless he/she finds that the parking generated by the event can be accommodated without undue disruption to or

interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

8.17 Cemetery or Mausoleum Not on Same Property as Church

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, B-1, B-2, and B-3 districts.

B. Minimum Lot Area

The minimum lot area shall be 5 acres.

C. General Requirements

1. All applicable requirements of the North Carolina General Statutes and Chowan County concerning the interment of human dead shall be met.
2. No interment shall take place within 100 feet of any property line or public road right-of-way.
3. Buildings for the maintenance, management, rent and/or sale of cemetery lots must be located at least 100 feet from any lot line that adjoins a residential zoning district. Otherwise, such buildings shall conform to the requirements of the principal use for the district in which located.

D. Access

Access to the use shall be from a collector or higher capacity road.

8.18 Church or Other Place of Worship

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, and R-40 districts.

B. Minimum Property Setbacks

The minimum road setback shall be at least 25 feet greater than that required for a single-family dwelling for the zoning district in which located. The minimum side and rear setbacks shall be at least 50 feet.

C. Screening

Parking lots shall be screened from adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

D. Access

Church facilities located on site of 3 acres or more shall have direct access to a collector or higher capacity road.

8.19 Civic, Social, and Fraternal Associations

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Location

Clubs shall have direct access to a collector or higher capacity road. However, if the use is intended to serve only a membership that is limited to a residential development, access may be provided from a residential road or an interior road within the residential development.

C. Screening

All parking lots shall be screened from all adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

D. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

8.20 College, University or Technical Institute

A. Where Development Standards are Required

A-1 district.

B. Permissible Uses

There are locations in which educational and support land uses that are physically removed from a main campus environment may be an appropriate and compatible land use in the A-1 zoning district. In such cases, allowable uses may include, in addition to the principal college, university or technical institute use, the following residential land uses:

- Single-family Detached Dwellings
- Two-family Dwellings
- Townhouse Dwellings
- Multifamily Residences

C. Development Standards

Residential uses shall comply with the dimensional standards of the underlying zoning district except that such residential uses may be developed as a Planned Unit Development, in which case the applicable development standards delineated in [Section 8.67](#) shall be followed. Nonresidential uses may be developed as allowable in PUDs per [Section 8.67, G](#).

8.21 Concerts, Stage Shows

A. Where Development Standards are Required

A-1 district.

B. Minimum Lot Area

The minimum lot size shall be 3 acres.

C. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the concert or stage show.

D. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

E. Parking

The Zoning Administrator shall not approve the permit unless he/she finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

F. Access

Principal access must be from a collector or higher capacity road.

8.22 Contractors, General Building and Contractors, Special Trade

A. Where Development Standards are Required

A-1, B-1, and B-2 districts.

B. Use Separation

Fifty feet minimum from any property line; three hundred feet minimum from any residentially-zoned or used lot.

C. Dust

All unpaved areas shall be maintained in a manner that prevents dust from leaving the property.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around all outside storage areas.

F. Screening

Any outdoor storage area shall be screened from an abutting residentially-used or zoned lot by a buffer yard which complies with the requirements of [Section 16.04, B.](#)

8.23 Convenience Store

A. Where Development Standards are Required

A-1 district.

B. Maximum Floor Area

A maximum of 3,000 square feet of gross floor area shall be permitted per establishment.

C. Screening

Any outdoor storage area shall be screened from an abutting residentially-used or zoned lot by a buffer yard which complies with the requirements of [Section 16.04, B.](#)

D. Gasoline Service Islands/Pumps

There shall be no more than 2 gasoline service islands with a maximum of 4 pumps per service island.

8.24 Correctional Institution

A. Where Development Standards are Required

I-2 district.

B. Minimum Setbacks

The use shall be set back 100 feet from all property lines and public road rights-of-way.

C. Use Separation

All structures, enclosed areas, and fenced areas shall be located at least 200 feet from any residentially-zoned or used lot.

D. Access

Principal access shall be from a collector or higher capacity road.

8.25 Country Club with Golf Course

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Minimum Area

The minimum area shall be 2 acres in addition to the golf course(s).

C. Use Separation

Fifty-foot minimum distance between clubhouse, swimming pool, lighted tennis court, tees, greens, or fairways and any adjacent residentially-zoned or used property.

D. Security Fencing

Outdoor swimming pools shall be protected by a fence in accordance with the Albemarle Regional Health Department's public swimming pool regulations.

8.26 Day Care Center, Child or Adult

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Security Fencing

Outdoor activity area(s) for children shall be enclosed by a security fence at least 6 feet in height and shall be located outside of the road setback.

C. Location

Day care centers on a site greater than 3 acres shall have access to a collector or thoroughfare road.

D. Hours of Operation

In residential districts, the use shall not be operated between the hours of 7 p.m. and 7 a.m.

8.27 Elementary or Secondary School

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Minimum Area

Minimum lot size shall be 3 acres.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.28 Explosives Manufacture

A. Where Development Standards are Required

I-2 district.

B. Property Separation

No facility shall locate within 500 feet of any residentially, office, or institutionally-used property.

C. Minimum Property Setbacks

Buildings, including any accessory buildings for storage of explosive raw materials and/or final products, shall be not less than 150 feet from all property lines.

D. Security Fencing

Security fencing, a minimum of 8 feet in height, shall be provided along the entire boundary of the facility.

E. Operation

Building(s) shall meet the requirements for Hazardous Occupancy under the NC Building Code.

8.29 Family Care Home

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, A-1, B-1, B-2, and B-3 districts.

B. Separation Requirement

In accordance with the provisions of NCGS 168-22(a), no family care home may be located within a one-half mile radius of an existing family care home.

8.30 Farm Product Warehousing and Storage; Farm Supplies and Equipment (Retail Trade of); and Farm Supplies, Other (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

8.31 Fire Station/Emergency Medical Service

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-zoned or used structure.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.32 Fish and Seafoods (Wholesale Trade of); Fish and Seafoods (Manufacturing of Prepared Fresh or Frozen, Canned or Cured)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 150 feet from any residentially-zoned or used structure.

C. Access

Principal access shall be from a road that is capable of accommodating the traffic, including truck traffic, expected to be generated by the proposed use.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of Section 16.02. All outside storage areas shall be screened from adjoining residential uses or residentially-zoned lots in accordance with the standards of Section 16.04, B.

E. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

F. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

G. Odors

The use shall not generate fumes or odors that adversely impact the activities of the adjacent land uses.

8.33 Flowers, Nursery Stock, and Florist Supplies; Forest Products (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

F. Screening

All off-street parking lots and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

8.34 Food Stores

A. Where Development Standards are Required

A-1 district.

B. Maximum Floor Area

A maximum of 10,000 square feet of gross floor area shall be permitted per establishment.

C. Minimum Property Setbacks

All buildings and structures shall be a minimum of 50 feet from any residentially – zoned or used lot.

D. Screening

All off-street parking lots and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required parking lot buffer yard shall comply with the requirements of Section 16.02. Any outdoor storage area shall be screened in accordance with the requirements of Section 16.04, B.

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 11 pm and 7 am.

8.35 Go-Cart Raceway

A. Where Development Standards are Required

B-1 district.

B. Property Separation

No raceway shall be located within 500 feet of any residential, office, or institutional use.

C. Noise

The facility shall be sited and operated so as to not produce noise or sound that would adversely impact adjoining and surrounding properties.

D. Dust

All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties.

E. Fencing

Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of the raceway.

F. Hours of Operation

No such facility that adjoins residentially used or zoned property shall conduct business between the hours of 10 pm. and 8 am.

8.36 Golf Course

A. Where Development Standards are Required

R5, R-15, R-25, RMH-25, and R-40 districts.

B. Use Separation

Fifty-foot minimum distance between clubhouse, tees, greens, or fairways and any adjacent residentially-zoned or used property.

8.37 Golf Driving Range

A. Where Development Standards are Required

B-1 and B-2 districts.

B. Minimum Lot Depth

The minimum lot depth from the tees to the end of the driving area shall be 1,000 feet or the end shall be controlled with netting and/or berms to prevent golf balls from leaving the property.

C. Security Fencing

Fencing, netting, trees, berms, or other control measures shall be provided around the perimeter of the driving area so as to prevent golf balls from leaving the driving area.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

F. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

8.38 Grain and Field Beans (Wholesale Trade of); Grain Mill Products (Manufacture of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

F. Screening

All parking lots and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B](#).

8.39 Group Care Facility

A. Where Development Standards are Required

R-5 and B-1 districts.

B. Property Separation

No such facility shall be located within one-half mile of an existing group care facility.

C. Operation

The facility shall be limited to not more than 30 persons including resident managers.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

E. Parking

Parking spaces shall be located on-site and located in the rear or to the side of the principal structure behind the building line.

F. Location

The use shall be located and sited so as to mitigate adverse impacts on adjoining residential properties.

8.40 Halfway House

A. Where Development Standards are Required

R-5 and B-1 districts.

B. Property Separation

No such facility shall be located within a 2,000-foot radius (measured by a straight line and not street distance) of another halfway house.

C. Operation

The facility shall be limited to not more than 30 persons including resident managers.

D. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

E. Parking

Parking spaces shall be located on-site and located in the rear or to the side of the principal structure behind the building line.

F. Location

The use shall be located and sited so as to mitigate adverse impacts on adjoining residential properties.

8.41 Hardware Store

A. Where Development Standards are Required

A-1 district.

B. Maximum Area

A maximum of 5,000 square feet of gross floor area shall be permitted.

C. Minimum Property Setbacks

All buildings and structures shall be a minimum of 50 feet from any residentially-zoned or used lot.

D. Screening

All parking lots and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 7 am.

F. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

8.42 Hazardous and Radioactive Waste (transportation, storage, and disposal)

A. Where Development Standards are Required

I-2 district.

B. Operation

The use shall comply with the Federal Resource Conservation and Recovery Act of 1976, as amended (PL 94-580) and the North Carolina Solid Waste Management Act, as amended (Article 13B. NCGS 130-166.16) for design, siting, and materials to be stored and treated.

C. Property Separation

All storage, treatment, and loading facilities handling hazardous materials will be located at least 200 feet from any property line and at least 1,250 feet from any lot not located in an industrial district. The required separation area shall contain a sufficient amount of natural or planted vegetation so that such facilities are screened visually from an adjoining property not located in an industrial district.

D. Fencing

A security fence at least 7 feet in height with a minimum 9-gauge fabric and 3 strands of barbed wire shall surround all facilities for the storage and handling of hazardous materials.

E. Access

Vehicular access to the operation will be provided only by way of a US or NC numbered highway or an industrial area access road.

F. Water Protection

All surface water and groundwater on the property will be protected so as to minimize, to the greatest possible extent, the probability of contamination by hazardous materials.

All sanitary sewer and stormwater management systems on the property will be protected so as to minimize, to the greatest possible extent, the probability of contamination by hazardous materials. A stormwater management plan shall be prepared by the applicant and submitted to the County for review by the County and the Environmental Management Division of the NC Department of Environment, Health, and Natural Resources. A NPDES Permit for stormwater discharge shall also be obtained, if applicable.

8.43 Homeless Shelter

A. Where Development Standards are Required

R-5 and B-1 districts.

B. Property Separation

No such facility shall be located within a 2,000-foot radius (measured by a straight line and not street distance) of another homeless house.

C. Operation

1. The use must be operated by a resident owner or manager.
2. The use shall be owned and managed by a charitable or benevolent operation qualifying for tax exemption under Section 501 of the Internal Revenue Code as amended.

3. There shall be no compensation required for occupancy in the shelter.
4. There shall be a minimum of fifty square feet of sleeping space per person.

D. Permit Renewal

The special use permit authorizing such use shall be renewed annually (every 12 months) by the Planning Board. Failure to apply for renewal within the specified time period shall render the special use permit null and void. The special use permit may be revoked by Planning Board at any time upon a finding that the use has caused a habitual nuisance to adjacent properties.

E. Signs

There may be one unlighted sign erected, not to exceed three feet in height and three feet in sign area.

F. Location

The use shall be located and sited so as to mitigate adverse impacts on adjoining residential properties.

8.44 Hunting or Game Preserve

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All hunting and dog training activities shall not be conducted within 500 feet of any adjoining residentially-used or zoned property, school, hospital, nursing or convalescent home, day care center, church, or park or other public recreational use.

C. Noise

Notwithstanding any other county ordinance, hunting and dog training activities shall not create noise or sound in excess of 60 decibels within 500 feet of the nearest adjoining residentially-used or zoned property, school, hospital, nursing or convalescent home, day care center, church, or park or other public recreational use.

D. Fencing

The applicant shall provide evidence that fencing at the site is of a material and density to adequately prevent the escape of dogs and hunted prey.

E. Permit Renewal

The special use permit authorizing such use shall be renewed annually (every 12 months) by the Planning Board. Failure to apply for renewal within the specified time period shall render the special use permit null and void. The special use permit may

be revoked by Planning Board at any time upon a finding that the use has caused a habitual nuisance to adjacent properties.

F. Operation

The use shall be one that is permitted by and in compliance with the rules and regulations of the NC Wildlife Resources Commission (WRC). Notwithstanding the WRC permit or any other state or federal law or permit, the owner(s) shall not handle, possess, receive, maintain, or control coyotes in the operation of the use.

8.45 Kennels or Pet Grooming

A. Where Development Standards are Required

A-1 district.

B. Outside Pens and Runs

Pens and runs located outdoors shall be located a minimum of 100 feet from any residentially-zoned or used lot and shall be screened in accordance with the standards of [Section 16.04, B.](#)

C. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

8.46 Landing Strip, Flying Field

A. Where Development Standards are Required

A-1, I-1, and I-2 districts.

B. Use Separation

There shall be a minimum distance of 200 feet between the use and the nearest residence or residentially zoned lot.

C. Minimum Area

The size and layout shall conform to applicable Federal Aviation Administration requirements.

8.47 Leather and Leather Products (tanning) (Manufacture of)

A. Where Development Standards are Required

I-2 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially used or zoned property.

C. Noise

The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.

8.48 Library

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Location

Libraries shall have direct access to a collector or higher classified road.

C. Screening

All parking lots shall be screened from all adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.49 Live/Work Combination Dwelling and Nonresidential Units

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Operation

1. The occupant of the residence shall be the owner or manager of the nonresidential activity.
2. No more than 2 persons shall be employed other than those residing on the premises.
3. The development shall be organized as a condominium project.
4. A property owners' association shall be established in accordance with [Article VII, Section 6.0 of the Chowan County Subdivision Ordinance](#) to ensure continual maintenance of common areas.
5. The number of dwelling units per acre shall not exceed the density for the zoning district in which located as shown in [Table 6-1](#).

D. Nonresidential Uses

Permissible nonresidential uses shall include offices and the following Business, Professional, and Personal Services uses:

Accounting, Auditing or Bookkeeping
Administrative or Management Services
Bank, Savings and Loan, or Credit Union
Barber Shop
Beauty Shop
Building Maintenance Services, No Outside
Storage
Clothing Alteration or Repair
Computer Maintenance and Repair
Computer Services
Employment Agency, Personnel Agency
Engineering, Architect or Survey Service
Finance or Loan Office
Furniture Repair Shop
Insurance Agency
Law Office
Medical, Dental or Related Office
Photocopying and Duplicating Services
Photography, Commercial Art Studio
Real Estate Office
Shoe Repair
Television, Radio or Electronics Repair

The nonresidential use shall be compatible with a residential occupancy. The nonresidential activity shall be conducted wholly within the structure.

E. Access

The use shall have direct access to a collector or higher classified road. The use shall be located and sited so as to mitigate adverse impacts on adjoining residential properties.

F. Parking

Parking spaces, as required in [Article X](#), shall be provided for the residence, the nonresidential activity, and any non-resident employees. Employee and customer parking may be consolidated into common parking areas located at strategic locations throughout the development.

G. Screening

All parking lots located on the perimeter of the development shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

H. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 7 am.

I. Noise

The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.

J. Outside Storage

No outside storage or display of items associated with the use shall be permitted.

K. Signs

One identification sign, not to exceed six feet in height and twelve feet in sign area, is allowed for the development. There may also be one unlighted wall sign erected for each unit, not to exceed three feet in sign area.

8.50 Livestock (Wholesale Trade of); Lumber and Other Construction Materials (Wholesale Trade of); Machinery, Farm and Garden (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

F. Screening

All parking lots, loading areas, and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

8.51 Manufactured Home, Hardship Exception

A. Where Development Standards are Required

R-15, R-25, R-40, and A-1 districts.

B. Qualifications

To qualify for a permit to temporarily locate a manufactured home on the same lot with an existing residential structure, the applicant must demonstrate the following:

1. That the person or persons occupying the manufactured home are physically dependent upon the person or persons occupying all or a portion of the existing residential structure, or that the person or persons occupying all or a portion of the existing residential structure are physically dependent upon the person or persons occupying the manufactured home; and
2. That the person or persons occupying the manufactured home and/or existing residential structure, cannot, because of financial or other conditions, move to avoid hardship, necessitating locating the manufactured home adjacent to the existing residential structure.

C. Location

The manufactured home shall be located to the side or rear of the existing residential structure and shall comply with the principal building side and rear setbacks of the zoning district in which located. The proposed location of the manufactured home and the location of the existing residential structure shall be shown on a plot plan submitted with the permit application.

D. Minimum Size of Manufactured Home

The manufactured home shall contain at least 200 square feet of gross floor area.

E. Water Supply and Sewage Disposal

The manufactured home shall be connected to a public water supply system and to a sewage disposal system approved by the Albemarle Regional Health Department.

F. Duration

Permits for a hardship exception manufactured home shall expire within 18 months after the date of issuance, except that the Zoning Administrator may renew such permit if he/she determines that such renewal is reasonably necessary and that all of the requirements of this subsection are met. If at any time during the period that the permit is valid, the qualifications delineated in subsection B or any other requirements of this section are not complied with, the permit shall be revoked and the manufactured home removed from the premises within 30 days.

G. Installation and Appearance Requirements

Hardship exception manufactured homes shall comply with the installation and appearance criteria delineated in [Section 7.04](#).

8.52 Manufactured Home, on Individual Lot

A. Where Development Standards are Required

RMH-25, R-40, and A-1 districts.

B. Installation and Appearance Requirements

Manufactured homes located on individual lots shall comply with the installation and appearance criteria delineated in [Section 7.04](#).

8.53 Manufactured Home Park

A. Where Development Standards are Required

RMH-25 and A-1 districts.

B. General Requirements

1. No person shall construct a manufactured home park or make any addition to an existing manufactured home park that either alters the number of sites for manufactured homes within the park or affects the facilities required therein until he/she first secures a permit authorizing such construction or additions. The construction of or addition to a manufactured home park shall be in accordance with the provisions of this Section.
2. Prefabricated structures specifically designed by the manufacturer for manufactured dwelling extensions and any other addition meeting the NC Building Code may be added to any manufactured dwelling provided that building setback within the manufactured home space can be met and a building permit is issued by the County.
3. Within a manufactured home park, one manufactured home may be used as an administrative office.
4. Convenience establishments of a commercial nature may be provided within a manufactured home park and shall be limited to food stores, coin-operated Laundromats, beauty parlors, and barber shops. These may be permitted in manufactured home parks subject to the following restrictions:
 - (a) Such establishments shall be subordinate to the residential use and character of the park.
 - (b) Such establishment shall present no visible evidence of their commercial character from any portion of any residential district outside the park.
 - (c) Such establishment shall be designed to serve the trade and service needs of the park residents only.
5. Every manufactured home park owner or operator shall maintain an accurate register containing a record of all occupants and owners of manufactured

homes in the park. The register shall be available for the inspection at all times by the Zoning Administrator. The register shall contain the following information:

- (a) Name of owner or occupant;
 - (b) Manufactured home space address;
 - (c) Make, model, and registration;
 - (d) Date when occupancy within the manufactured home park begins and date when occupancy within the manufactured home park ceases.
- 6. The person to whom an operating permit for a manufactured home park is issued shall operate the park in compliance with this Section and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair, and in a clean and sanitary condition.
 - 7. The area beneath a manufactured home must be fully enclosed with durable skirting within 90 days of placement in the manufactured home park. Skirting shall comply with the requirements of [Section 7.04\(B\)\(1\)\(e\) or \(B\)\(2\)\(e\)](#), as applicable.
 - 8. Site plans for manufactured home parks shall comply with the requirements of [Article III](#) and [Appendix A](#).

C. Manufactured Home Space Requirements

- 1. All manufactured homes shall be located on individual manufactured home spaces. Spaces served by public water and sewer systems or approved community water and sewer systems shall have at least 7,500 square feet of lot area and a minimum lot width of 60 feet at the setback line.

Spaces not served by either a public or community sewer system, shall have at least 20,000 square feet of lot area per manufactured home unit, allowing no more than one manufactured home per septic tank. However, a greater lot area may be required by the District Health Department in those cases where public sewer is not available. Spaces shall not be less than 100 feet in width at the setback line. An individual manufactured home with neither public or community water service nor public or community sewer service shall not be permitted within a manufactured home park.
- 2. Each manufactured home space shall be clearly defined by means of concrete or iron pipe markers placed at all corners and each space shall clearly display a street address.
- 3. Each manufactured home space shall be located so as not to be susceptible to flooding and shall be graded so as to prevent any water from ponding or accumulating on the premises.

4. The manufactured home park shall provide the following minimum building setbacks along its external boundary: 50 feet from a public road right-of-way, 15 feet side property line, and 40 feet rear property line.
5. Each individual manufactured home space shall have the following minimum building setbacks: 20 feet from the edge of the right-of-way of any private interior road right-of-way; 10 feet from a side property line, and 15 feet from a rear property line. Each manufacture home shall be located at least 20 feet from any other manufactured home or any building within the manufactured home park.

D. Access, Road, and Parking Requirements

1. At least one entrance from a public road shall be provided to the manufacture home park for each 50 manufactured home spaces or fraction thereof.
2. No manufactured home space shall have direct vehicular access to a public road. All manufactured home spaces shall directly abut an interior, private road contained within the park.
3. New road names shall not duplicate or be similar to existing road names and shall be subject to approval by the County.
4. Proper sight lines shall be maintained at all public road intersections in accordance with the current NCDOT requirements for sight clearances.
5. Each manufactured home space shall have vehicular access to a private, interior road that has a minimum pavement width of 15 feet for one-way roads and 25 feet for two-way roads. A minimum right-of-way of 50 feet shall be reserved for two-way roads and 45 feet for one-way roads.
6. Private roads shall be paved and constructed in accordance with the for private road design requirements of [Article V, Section 1.0, \(L\) of the Subdivision Ordinance](#).
7. A minimum of two automobile parking spaces shall be provided within each manufactured home space. Parking spaces shall not be located within any road or road right-of-way in the park. Guest and overflow parking shall be provided so as to be readily accessible to all manufactured home spaces. Parking spaces shall be designed in accordance with the requirements of [Section 10.04](#).

E. Utility Requirements

1. Water System
 - (a) An accessible, adequate, and potable supply of water shall be provided in each manufactured home park. Where a public water supply is available within 1,000 feet of the proposed manufactured home park parcel, connection shall be made thereto and its supply

used exclusively. The water system shall be designed and constructed to the standards and specifications of the public water system provider. Fire hydrants shall be provided throughout the manufactured home park in accordance with the policies of the public water system provider.

- (b) When a public water supply is not available, a community water supply shall be developed, and its supply used exclusively in accordance with the standards of the NC Division of Health Services. Placement of water improvements to manufactured home spaces shall comply with the NC Building Code for Plumbing. Private water systems shall conform to the following:
 - (1) Water main trunk lines shall be a minimum of 2 inches in diameter and shall be constructed of material approved by the Division of Health Services.
 - (2) The water supply shall have a minimum of 30 psi (gauge) when operating at peak demand.
 - (3) Every well or suction line of the water supply system shall be located in such a manner that neither underground nor surface contamination will reach the water supply from any source.
 - (4) No well casings, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level. Such installation shall not be permitted in any room or space above ground, which is walled in or otherwise enclosed. Such installation may be allowed where free drainage by gravity to the surface of the ground is provided.
- (c) Individual water and riser pipes shall be provided and located within the confined area of the mobile home stand at a point where the connections will approximate a manufactured home position.
- (d) Water riser pipes shall extend at least 10 inches above ground elevation and the pipe shall be at least three-quarter inches in diameter. The water outlet shall be capped at all times when a manufactured home does not occupy the lot or when the supply is not in use.
- (e) Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes and to protect risers from heaving and thawing actions during freezing weather. Surface drainage shall be satisfactorily diverted from the location of the riser pipes.

2. Sewage Disposal

- (a) Adequate and safe sewage disposal facilities shall be provided in all manufactured home parks. Where a public sewage system is

available, connection shall be made thereto and its system used exclusively. Where a public sewage system is not available, collection systems and sewage treatment plants complying with the requirements of the NC Division of Environmental Management shall be provided. Plans for sewage collection systems and treatment facilities shall be submitted to the NC Division of Environmental Management. Placement of sewer improvements to manufactured home spaces shall comply with the NC Building Code for Plumbing. Individual septic tank systems can be considered, if soil, topography, and ground water conditions are favorable and approval from the District Health Department is obtained.

- (b) Provision shall be made for capping the sewer pipe when a manufactured home does not occupy a space. Surface drainage shall be diverted away from the riser. Sewer riser pipes should be at least 6 inches above the ground level.

3. Solid Waste Disposal and Sanitation Requirements:

- (a) The storage, collection, and disposal of solid waste in the manufactured home park shall be in compliance with the requirements of the District Health Department.
- (b) Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation.

4. Street Lighting Requirements: All roads in the manufactured home park shall be adequately illuminated from sunset to sunrise. The minimum size street light shall be a 175 watt mercury-vapor (approximately 7,000 lumen class), or its equivalent, spaced at intervals of not more than 300 feet.

5. Electrical Service Requirements: Minimum electrical service of 200 ampere, 120/240 volt single-phase shall be provided to each manufactured home space. The service panel and location as well as all wiring shall be in accordance with the National Electrical Code.

F. Recreational Space Requirements

- 1. In all manufactured home parks accommodating or designed to accommodate 10 or more manufactured homes, there shall be one or more recreation areas which shall be easily accessible to all park residents. The amount of recreation area shall be based upon a minimum of 200 square feet for each manufactured home space.
- 2. Twenty or more manufactured home spaces will require 250 square feet for each manufactured home space.
- 3. No single outdoor recreation area shall contain less than 2,000 square feet. Recreation areas shall be so located so as to be free of traffic hazards and should, where topography permits, be centrally located and shall be usable for recreation.

G. Screening Requirements

A manufactured home park shall provide screening along its external boundaries in accordance with the requirements of [Section 16.04, C](#).

H. Signs

Signs for identification of manufactured home parks shall not exceed four feet by eight feet and shall be located at the entrance of the park.

I. Installation and Appearance Requirements

Manufactured homes located in manufactured home parks shall comply with the requirements of Section 7.04.

8.54 Manufactured Home Sales

A. Where Development Standards are Required

B-1 and B-2 districts.

B. Minimum Property Setbacks

Individual manufactured homes located on a sales lot shall be set back a minimum of 20 feet from road rights-of-way and property lines.

C. Access

Principal access shall be from a collector or higher capacity road.

8.55 Marina (Commercial); Boat Yard

A. Where Development Standards are Required

R-40 and A-1 districts.

B. Access

The use shall have access to a collector or higher classified road.

C. Use Separation

There shall be a minimum 50 feet distance between any buildings, structures, or outdoor use areas associated with the marina and any adjacent residentially-used or zoned lot.

D. Dust

Any unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

E. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

F. Screening

Parking lots and outdoor storage areas shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

G. Permissible Accessory Uses

Permissible accessory marine services may include the retail sales of fuel, convenient food stuffs, boats, and accessory equipment; coffee shop, grill, or restaurant; boat storage; and boat repair services.

H. Construction Standards

Marinas shall be constructed in accordance with the provisions of 15A NCAC 07H.0208(b)(5).

8.56 Marina (Accessory to a Residential Use)

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Boat Slips

The number of boat slips shall not exceed 110 percent of the number of dwelling units in the residential development which the marina serves.

C. Operation

No sale of goods or services or other commercial activities shall occur at the marina.

D. Dust

Any unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

E. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

F. Screening

Parking lots and outdoor storage areas shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

8.57 Metal Coating and Engraving Manufacture

A. Where Development Standards are Required

I-2 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially used or zoned property.

C. Impacts

The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.

8.58 Minerals (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

Outdoor storage areas shall be no closer than 50 feet to any adjoining residentially or office and institutionally used or zoned property.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Dust

All non-paved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

E. Access

1. Access roads leading to any part of the operation shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner.
2. No part of such roads shall be located closer than 15 feet to an external property line other than a limited access highway or railroad right-of-way line.
3. A truck route plan shall be submitted showing truck routes to and from the

site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses which will be negatively affected by truck traffic.

8.59 Mining, Quarrying, Sand Pits, and Mineral Extraction

A. Where Development Standards are Required

A-1 and I-2 districts.

B. Use Separation

1. The edges of any pit where a mining operation is taking place and any equipment used in the processing of rock and gravel, any asphalt plant, or other industrial uses operated in conjunction with the mine or quarry shall be located at least 300 feet from any property line.
2. Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.

C. Hours of Operation

All operations involving blasting discernible beyond the external property line on a quarry shall only be conducted between the hours of 7:00 a.m. and 6:00 p.m.

D. Mining Permit

A valid state-issued mining permit must be obtained.

E. Screening

Screening shall be provided in accordance with the requirements of [Section 16.04, B.](#) However, if a berm is determined to be an adequate alternative screening method as provided for in [Section 16.05, B. 4.](#), the minimum height of the berm shall be six feet.

8.60 Motor Vehicle Sales (new and used); Boat Sales/Marine Supply Dealers

A. Where Development Standards are Required

A-1 district.

B. Access

The use shall have direct access to a collector or higher classified road.

C. Screening

All sales lots and parking lots shall be screened from all adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

D. Minimum Property Setbacks

All sales lots, buildings and structures shall be a minimum of 50 feet from any residentially-zoned or used lot.

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

8.61 Multifamily Dwellings

A. Where Development Standards are Required

R-5, RMH-25, B-1, B-2, and B-3 districts.

B. Minimum Lot Area

The use shall provide the minimum lot area as delineated in [Table 6-1](#).

C. Minimum Spacing

The minimum spacing between multi-family residential structures shall be 20 feet.

D. Screening

Screening shall be provided in accordance with the requirements of [Section 16.04, A](#). However, if a berm is determined to be an adequate alternative screening method as provided for in [Section 16.05, B, 4.](#), the minimum height of the berm shall be six feet.

E. Signs

There may be one freestanding sign erected per public road frontage. The sign(s) shall not exceed three feet in height and 25 square feet in sign area.

F. Private Drives

Private drives are allowed to connect parking areas and groups of multifamily units to public streets. These drives shall be constructed to the same standards as public streets and shall have a minimum pavement width of sixteen feet. Parking shall not be allowed on private drives except where parking bays are provided. A T-turnaround shall be provided for drives of less than 100 feet in length; a 70-foot diameter cul-de-sac is required for longer drives.

G. Vehicular Access

There shall be no direct vehicular access from an individual dwelling unit to a collector or higher capacity public street.

H. Area Lighting

All private drives and parking areas shall be illuminated from sunset to sunrise with a minimum light of approximately 7,000 lumens (175 watts), spaced 350 feet apart.

I. Utility Requirements

Water supply, sewage disposal, solid waste disposal, and general maintenance shall meet the requirements of the health department's regulations governing the sanitary design, construction, alteration, maintenance, operation, and use of multifamily dwellings.

J. Fire Safety

All water mains shall be six inches or larger with fire hydrants located not greater than 800 feet apart. All hydrants shall be standard type with one four and one-half inch and 2 two and one-half inch openings, and all threads shall be national standard. The lowest opening of the hydrants shall be 12 inches above the ground level of the final grade.

8.62 Nursing and Convalescent Home

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Minimum Lot Area

8,000 square feet for the first 9 patient beds, rooms, or suites plus 1,000 square feet for each additional patient bed, room, or suite or the minimum lot area requirement for the zoning district, whichever is greater.

C. Dimensional Requirements

The following minimum dimensional requirements shall apply to nursing and convalescent homes:

1. Road Right-of-Way Building Setback: 50'
2. Side Property Line Building Setback: 50'
3. Rear Property Line Building Setback: 50'
4. Minimum Lot Width: 100'
5. Minimum Building Separation: 20'
6. Minimum Lot Area: 2 acres

D. Screening

All parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.63 Orphanage

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Minimum Lot Area

8,000 square feet for the first 9 client beds or rooms plus 1,000 square feet for each additional client bed or room or the minimum lot area requirement for the zoning district, whichever is greater.

C. Screening

Parking lots shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

8.64 Outdoor Flea Market (temporary)

A. Where Development Standards are Required

A-1 district.

B. Minimum Lot Area

A minimum lot area of 2 acres shall be required.

C. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

D. Parking

The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

E. Access

Principal access must be from a collector or higher capacity road.

F. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the outdoor flea market.

G. Duration

The permit shall be valid for a period not to exceed 7 days.

8.65 Outdoor Fruit and Vegetable Market (seasonal)

A. Where Development Standards are Required

R-40 district.

B. Location

No building or structure shall be located within 40 feet of a public road right-of-way.

C. Parking

Sufficient room for customer parking shall be provided on the lot and must be located such that parking is completely off of the public road right-of-way. The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

D. Access

Principal access must be from a collector or higher capacity road.

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the market. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 7 am.

F. Duration

The permit shall be valid for a period not to exceed 180 days.

8.66 Petroleum and Petroleum Products (Wholesale Trade of); Petroleum and Related Industries Manufacture

A. Where Development Standards are Required

I-2 district.

B. Property Separation

All storage tanks and loading facilities shall be located at least 200 feet from any property line. Storage tanks and loading facilities shall be located a minimum of 50 feet from any residentially used or zoned property.

C. Access

Vehicle access to the use shall be provided only by way of a US or NC numbered highway or an industrial area access road.

D. Operation

The use must meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

E. Dikes

1. Tanks or groups of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainageways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area.
2. Dikes or retaining walls shall be of earth, steel, concrete or solid masonry designed and constructed to be liquid tight and to withstand a full hydraulic head. Earthen dikes 3 feet or more in height shall have a flat section at the top not less than 2 feet in width. The slope shall be consistent with the angle or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than 6 feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, empty or full drums or barrels, shall be permitted within the diked area.
3. Where provision is made for draining rainwater from diked areas, such drains shall normally be kept closed and shall be designed that when in use they will not permit flammable liquids to enter natural watercourses, public sewers, or public drains. Where pumps control drainage from the diked area, they shall not be self-starting.

F. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of such facilities.

8.67 Planned Unit Development

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, A-1, B-1, B-2, and B-3 districts.

B. Minimum Development Area

A minimum of 10 acres shall be required for a PUD.

C. Minimum Lot Area

Individual lot sizes may be reduced below the minimum specified in Table 6-1, Table of Density and Dimensional Requirements for the district in which the PUD is located. However, the overall residential density of a PUD shall not exceed that normally permitted in the underlying zoning district.

D. Dimensional Requirements

Minimum building setback and lot width requirements are waived except that lots and structures within 150 feet of the perimeter of the planned unit development shall be compatible with the minimum setback requirements on adjacent lands.

E. Recreational and Open Space

At least one-half of the land area saved by reducing the individual lot sizes as authorized in subsection C. shall be reserved for recreational or open space use. This requirement shall be in addition to the minimum recreation and open space requirements for residential subdivision lots delineated in [Article VII, Section 5.0 of the Chowan County Subdivision Ordinance](#) and for unsubdivided residential components as delineated in [Section 16.10 A](#).

The location, extent, and purpose of land proposed for recreational or open space shall be reviewed and approved by the Zoning Administrator. A private recreational use, such as a golf course or swimming pool, whose use is limited to the owners or occupants of the lots within the PUD may be approved. Other uses or sites that may qualify include historic buildings or sites, parks, extensive areas with tree cover, and low land along streams or areas of rough terrain where such areas are extensive and have features worthy of preservation.

F. Permissible Residential Uses within a PUD

Permissible residential uses within a PUD include single-family detached dwellings, two-family dwellings, townhouse dwellings, multi-family dwellings, and live/work units. Manufactured homes are not permissible residential uses.

G. Permissible Nonresidential Uses within a PUD

Nonresidential uses allowed within a PUD shall be the same as those specified for the underlying zoning district in [Table 5-1, Table of Permitted Uses](#). In addition, in R-5, R-15, R-25, RMH-25, R-40, and A-1 zoning districts, the following commercial uses are permitted provided that no more than 15 percent of the total land area of a PUD shall be used for such commercial uses:

1. Business, Professional and Personal Services:

- Accounting, Auditing or Bookkeeping
- Administrative or Management Services
- Bank, Savings and Loan, or Credit Union
- Barber Shop
- Beauty Shop
- Clothing Alteration or Repair
- Computer Maintenance and Repair
- Employment Agency, Personnel Agency
- Engineering, Architect or Survey Service
- Finance or Loan Office
- Insurance Agency
- Laundromat, Coin-Operated
- Law Office
- Medical, Dental or Related Office
- Photography, Commercial Art Studio
- Real Estate Office
- Shoe Repair or Shoeshine Shop

2. Retail Trade:

- ABC Store (liquor)
- Antique Store
- Arts and Crafts
- Bakery
- Bar, Night Club, Tavern
- Bookstore, except Adult Bookstore
- Computer Sales
- Convenience Store
- Drugstore
- Florist
- Food Store
- Hardware Store
- Newsstand
- Optical Goods Sales
- Pet Store
- Record and Tape Store
- Restaurant (without drive-thru)
- Service Station, Gasoline Sales
- Video Tape Rental and Sales, except Adult Video Store

No nonresidential use shall be permitted within 150 feet of the perimeter of the planned unit development unless the same or a similar use exists adjacent to the perimeter at the time of approval of the planned unit development or is a use permitted by zoning on the adjoining property.

Building permits for commercial uses in PUDs located in R-5, R-15, R-25, RMH-25, R-40, and A-1 zoning districts shall not be approved until building permits authorizing the construction of at least 30 percent of the total residential units have been issued.

This restriction shall not apply, however, to a commercial use that is otherwise allowed in these zoning districts.

8.68 Private Campground/RV Park

A. Where Development Standards are Required

A-1, B-1, and B-2 districts.

B. General Requirements

1. Site plans for private campgrounds/RV parks shall comply with the requirements of [Article III, Permits and Hearing Procedures and Appendix A](#).
2. No campsite shall be used as a permanent place of abode, dwelling, or business for indefinite periods of time. Continuous occupancy extending beyond three months in any 12-month period shall be presumed to be permanent occupancy.
3. Any action toward removal of wheels of a travel trailer except for temporary purposes of repair or to attach the trailer to the ground for stabilizing purposes shall be prohibited.
4. All campsites proposed for sale shall be recorded with subsections 2 and 3 above as deed restrictions.
5. Accessory uses shall be so designed and developed so as to blend with the park's design and natural setting. Such uses shall be clearly accessory to the principal use as a campground/recreational vehicle park. Accessory uses shall include management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to the operation of the park. In addition, stores, restaurants, beauty parlors, barber shops, and other convenience establishments shall be permitted as accessory uses in zoning districts permitting such uses subject to the following conditions:
 - (a) Such establishments and the parking areas primarily related to their operation shall not occupy more than 5 percent of the gross area of the park;
 - (b) Such establishments shall be restricted in their use to occupants of the park and/or related park association members; and
 - (c) Such establishments shall present no visible evidence from any public road of their commercial character.
6. Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion subject to unpredictable and/or sudden

flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards.

7. Exposed ground surfaces in all parts of the recreational vehicle park shall be paved, or covered with stone screenings, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust. A soil sedimentation control plan shall be submitted in accordance with [Section 7.07](#).
8. Surface drainage plans for the entire tract shall be reviewed by the Zoning Administrator to determine whether the proposed plan is compatible with the surrounding existing drainage pattern and relevant drainage plans, prior to issuance of site plan approval and building permits. No permit shall be issued where it is determined that the plan is incompatible with surrounding areas.

C. Dimensional Requirements

1. Maximum density shall be limited to 15 campsites per net acre, excluding public areas, rights-of-way, watercourses, and other areas as may be set forth.
2. In no case shall any individual campsite contain less than 2,800 square feet. To the greatest extent possible, campsites shall be developed to preserve their natural character. The portion of the campsite intended to accommodate a recreational vehicle or tent shall be level and well drained.
3. Recreational vehicles shall be separated from each other and from other structures within the campground/RV park by at least 15 feet. Any accessory structures such as attached awnings, carports, or individual storage facilities shall, for the purpose of this separation requirement, be considered part of the recreational vehicle.
4. Recreational vehicle sites and off-street parking spaces shall not be within the setback areas required for main buildings or principal structures.
5. Setback areas for recreational vehicle sites shall contain natural vegetation or be landscaped and shall be used for no other purposes.
6. The minimum setback of any building, structure, or recreational vehicle site from a public road right-of-way shall be the same as that required for a principal building in the zoning district in which the park is located.
7. The minimum setback from a private, interior road shall be 20 feet from the edge of pavement.
8. The minimum exterior side property line setback, when abutting residentially used or zoned areas, shall be 50 feet. In all other cases, the exterior side property line setback shall be at least 20 feet.
9. The minimum exterior rear property line setback, when abutting residentially

used or zoned areas, shall be 50 feet. In all other cases, the exterior rear property line setback shall be at least 30 feet.

D. Access and Road Requirements

1. No individual campsite shall have direct vehicular access to a public street. All campsites shall directly abut and have access to a private, interior road contained within the campground/RV park.
2. Entrance driveways shall be located not closer than 150 feet from the intersection of public roads.
3. Interior access roads shall conform to the construction standards of subdivision roads of NCDOT. However, requirements for minimum rights-of-way and pavement widths shall not apply. Road plans and profiles shall be submitted with the site plan for review and approval. Roads shall be of sufficient width to accommodate the type and volume of anticipated traffic and, in any case, shall meet the following minimum pavement width requirements:
 - (a) One way with no parking: minimum 12 feet in width.
 - (b) Two-way with no parking: Minimum 24 feet in width.
4. Entrances and exits to campgrounds/RV parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic into and out of the park. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended. Radii of curbs and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. No impediment to visibility shall be created or maintained which obscures the view of an approaching driver in the right lane of the road within (a) 100 feet where the speed limit is 45 mph or (b) within 150 feet where the speed limit is over 45 mph or any portion of the approach lane of the access way within 25 feet of its intersection with the right hand of the lane.

E. Parking Requirements

1. There shall be at least 3 off-road parking spaces designated in a campground/RV park for each 2 campsites. At least 1 space must be provided on each campsite with any residual spaces provided within 100 feet of the site.
2. Each campsite shall contain a stabilized vehicular parking pad of paving or other suitable material.
3. No more than one recreational vehicle may be parked on a individual campsite.

F. Utility Requirements

1. No on-site water or sewer facilities shall be permitted on any campsite. Proposals for dumping stations and common toilets and restrooms, laundries, and baths shall have the approval and be subject to the requirements of the Albemarle Regional Health Department. All community water facility proposals shall be approved and be subject to the requirements of the Albemarle Regional Health Department.
2. All water supply facilities shall have the approval of the Albemarle Regional Health Department and/or NC Division of Health Services. All sewer facilities improvements shall have the approval of the Albemarle Regional Health Department and the NC Division of Environmental Management.
3. All water and sewer improvements within the campground/RV park shall comply with the NC Building Code for Plumbing.

G. Screening Requirements

Where campgrounds/RV parks abut a residential area, a permanent buffer yard of at least 50 feet shall be established with adequate restrictive covenants to prohibit development within the buffer yard. A natural year- round screen shall be planted, which at maturity, shall reach a minimum height of at least 8 feet. Such screening shall complement the adjacent environment.

H. Recreational Space Requirements

A minimum of 8 percent of the gross site area of the campground/RV park shall be set aside and developed as common use areas for open or enclosed recreation facilities.

8.69 Private Club or Recreation Facility, Other; Public Park or Recreational Facility, Other

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the facility.

C. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

D. Parking

The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the facility can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

E. Location

Principal access must be from a collector or higher capacity road for any facility greater than 3 acres in size that generates an average daily traffic volume of over 200 or more trips per day.

F. Screening

Parking lots and outdoor storage areas shall be screened from adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with requirements of [Sections 16.02 and 16.04, B.](#)

G. Security Fencing

Outdoor swimming pools shall be protected by a fence in accordance with the Albemarle Regional Health Department's public pool regulations.

8.70 Pulp and Paper Mills

A. Where Development Standards are Required

I-2 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Impacts

The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.

D. Access

Principal access must be from a collector or higher capacity road or an industrial area access road.

8.71 Race Track Operation

A. Where Development Standards are Required

A-1 district.

B. Minimum Lot Area

The minimum lot area shall be 40 acres.

C. Location

The use shall have direct access to an arterial or higher capacity road.

D. Minimum Property Setbacks

All buildings and structures shall be a minimum of 500 feet from any residentially-zoned or used lot.

E. Screening

All parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

F. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

G. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

H. Dust

All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties.

I. Fencing

Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of the raceway

8.72 Restaurant (with drive-thru)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Maximum Area

A maximum of 3,000 square feet of gross floor area shall be permitted.

D. Screening

All parking lots, loading areas, and trash disposal areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

8.73 Retreat/Conference Center

A. Where Development Standards are Required

A-1 district.

B. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the facility.

C. Parking

The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the facility can be accommodated without undue disruption or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.

D. Location

Principal access must be from a collector or higher capacity road.

E. Screening

All parking lots, loading areas, and trash disposal areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

8.74 Riding Academy, Riding Stables, Equestrian Facility

A. Where Development Standards are Required

R-40 and A-1 districts.

B. Use Separation

There shall be minimum 100-foot distance between manure storage areas, barns or stables and any adjacent residentially-zoned property.

C. Dust

All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties.

D. Restroom Facilities

Restroom facilities shall be approved by the Albemarle Regional Health Department.

E. Minimum Lot Area

Parcels shall contain the following minimum lot area for horses kept on the property:
2.0 acres of gross lot area for one horse and 1.0 acre for each additional horse.

8.75 Rubber and Plastics, Miscellaneous (Manufacture of)

A. Where Development Standards are Required

I-2 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Impacts

The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.

8.76 Rural Family Business

A. Where Development Standards are Required

R-40 and A-1 districts.

B. Minimum Area

1. The rural family business must be located on a tract of 2 acres or more.
2. A portion of the tract containing at least 40,000 square feet with 100 feet of width must be designated and reserved exclusively for residential use.

C. Maximum Area

The total floor area of all buildings occupied by the nonresidential activity shall not exceed 5,000 square feet. The maximum land area that may be used in conjunction with the nonresidential activity is 20,000 square feet.

D. Use Separation

All operations of the nonresidential activity shall observe a 50-foot setback from all property lines.

E. Location

All operations of the nonresidential activity shall be located behind the rear line of the building occupied as the principal residence.

F. Screening

All operations of the nonresidential activity, including buildings, outside storage areas, and parking shall be treated as a separate use and shall be screened in accordance with the requirements of [Sections 16.02 and 16.04, B.](#)

G. Impacts

The Albemarle Regional Health Department shall evaluate each rural family business request to determine the nonresidential activity's impact on the surrounding area with respect to excessive noise, dust, air emissions, odors, and surface or groundwater discharge. The applicant of the rural family business request shall mitigate the impact on these and other environmental concerns. A written evaluation of these potential impacts is required by the Albemarle Regional Health Department prior to the consideration of any request for a rural family business.

H. Operation

1. The rural family business shall be owned by the landowner who must reside on the property.
2. No more than 5 persons shall be employed other than those residing on the property.
3. Outside storage and parking of commercial vehicles is permitted. The applicant shall indicate on the site plan the type and location of outside storage and the location and proposed number of vehicles to be parked on the lot.
4. The rural family business shall not be operated between the hours of 10 p.m. to 7 a.m.
5. Permitted nonresidential uses shall be limited to those products assembled or manufactured on-site for resale elsewhere and business, professional, and personal services or stock-in-trade clearly incidental to such services. Commercial retail or wholesale operations that bring to the site goods specifically for the purpose of resale shall be prohibited.

8.77 Salvage Yards, Auto Parts; Salvage Yards, Scrap Processing

A. Where Development Standards are Required

I-2 district.

B. Minimum Area

The minimum area required to establish a salvage yard shall be 5 acres.

C. Use Separation

The operations of salvage yards shall not be any closer than 300 feet to any residential property line. Neither should any such operations be closer than 300 feet

to the property line of any school, hospital, nursing and convalescent home, or day care facility.

D. Screening

Salvage yards shall be enclosed by a sight-obstructing screen of at least 6 feet in height adjacent to public roads and 8 feet in height adjacent to properties of a residential, educational or institutional nature. All such screens shall be maintained in a sound and stable manner for the life of the operation. Entrances and exits shall be secured when the salvage yard is closed. If state or federal requirements for screening are more stringent, such requirements shall be applicable.

E. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 400 feet to the nearest residence. No noisy processing shall be carried on in connection with the business on Sundays, Christmas Day, Thanksgiving Day, or at any time between the hours of 6:00 p.m. and 7:00 a.m.

F. Vibration

No vibration shall be produced which is transmitted through the ground and which is discernable without the aid of instruments at or beyond the lot line; nor will any vibration produce a particle velocity of 2.0 inches per second measured at or beyond the property line.

G. Dust and Particulates

Emissions of dust and particulates shall be in accordance with the State of North Carolina rules and regulations governing air contamination and air pollution. Particulate matter emission from materials and products subject to becoming windborn will be kept to a minimum by paving, sodding, oiling, wetting, covering or other means such as to render the surface wind resistant. Points of ingress and egress shall be paved/hard-surfaced with either concrete or asphalt.

H. Smoke and Burning

Emissions of smoke and burning of non-vegetative matter shall not be permitted on the site of a salvage yard.

I. Trash and Garbage

Disposal of trash and garbage shall be in an approved container and be regularly maintained. Open dumping of trash or garbage shall be prohibited.

J. Disposal of Toxic/Hazardous Matter

Disposal of toxic/hazardous matter on any salvage yard site shall be expressly forbidden.

K. Storage of Fuels

Storage of fuels shall be contained in below ground tanks meeting the requirements of the State of North Carolina. No such fuel storage shall be within 1000 feet of any residential, educational, or institutional structure. Location of fuel storage tanks shall be so designed as to prevent leakage or spillage into any stream. Gasoline and oil shall be removed from scrap engines or vehicles on the premises and adequately stored for disposal.

L. Drainage

Salvage yard sites shall be adequately drained to assure that no standing water shall exist that might provide breeding habitation for insects.

M. Weeds and Vegetation

Weeds and vegetation on the premises, other than trees, shall be kept at a height of not more than 6 inches.

N. Storage

Salvage materials shall be stored in piles not exceeding 10 feet in height and shall be arranged as to permit easy access to all such salvage for fire fighting purposes.

O. Permit Requirements

The facility shall obtain all applicable state and federal permits.

8.78 Sawmill or Planing Mills

A. Where Development Standards are Required

A-1, B-1, and I-2 districts.

B. Minimum Property Setbacks

All buildings and structures shall be a minimum of 100 feet from any residentially-zoned or used lot.

C. Screening

All outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B.](#)

D. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

E. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

F. Dust

All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

8.79 Service Station, Gasoline Sales

A. Where Development Standards are Required

A-1 district.

B. Operation

1. Air compressors, hydraulic hoists, pits, repair equipment, greasing and lubrication equipment, auto washing equipment, and similar equipment shall be entirely enclosed within a building.
2. No outside storage of materials shall be permitted. The number of vehicles stored outdoors shall not exceed the number of service bays at the establishment.

C. Gasoline Service Islands/Pumps

There shall be no more than 2 gasoline service islands with a maximum of 4 pumps per service island.

D. Maximum Area

A maximum of 3,000 square feet of gross floor area shall be permitted.

8.80 Sewage Treatment Plant

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 300 feet from a residentially used or zoned lot.

C. Noise

Equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by Chowan County, involved with the use.

8.81 Sexually-Oriented Business

A. Where Development Standards are Required

B-1 district.

B. Property Separation

1. No sexually-oriented business shall locate within 1,000 feet in any direction of any other sexually-oriented business.
2. No sexually-oriented business shall locate within 1,000 feet in any direction of a church or other place of worship; public or private school; day care center or nursery school; public park, swimming pool, or playground; or residentially-zoned or used property.

C. Prohibition of Sleeping Quarters

Except for adult motels, no sexually-oriented business shall have sleeping quarters.

D. Restriction of Uses on the Same Property or in the Same Building

There shall not be more than one sexually-oriented business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any sexually-oriented business.

E. Signs

Except for a business identification sign permitted in accordance with [Article IX](#), no other exterior advertising, promotional materials, or signage that is visible to the public from a road, sidewalk, or walkway shall be permitted.

F. Hours and Days of Operation

The hours of operation shall be compatible with the land uses adjacent to the proposed site and shall be limited to the hours of 10 am to midnight, Monday through Saturday.

8.82 Shooting Range, Indoor

A. Where Development Standards are Required

B-1, B-2, I-1, and I-2 districts.

B. Noise

The facility shall, to the maximum extent feasible, be designed to absorb sound and shall be designed to meet the standards for indoor shooting ranges as established by the National Rifle Association.

8.83 Shooting Range, Outdoor

A. Where Development Standards are Required

A-1, I-1, and I-2 districts.

B. Use Separation

Separation shall be a minimum 300 feet between the range and the closest external property line.

C. Access

Access shall be controlled to prevent unregulated entrance to the firing area.

D. Security Fencing

Security fencing shall be provided to prevent an individual from crossing the property downrange.

E. Backstops

The design of the backstop downrange shall be as approved by the National Rifle Association.

8.84 Shopping Centers

A. Where Development Standards are Required

B-1 and B-2 districts.

B. Shopping Center Classifications

Shopping centers, as defined in [Section 15.04](#), are classified into three categories: Neighborhood, Community, and Regional. The development standards in this subsection are applicable to the particular category of shopping center as indicated. Superstores are defined as freestanding department, variety, or general merchandise stores that are in excess of 25,000 square feet of gross floor space.

C. Minimum Development Area (Regional Only)

The minimum development area for a regional shopping center shall be 5 acres.

D. Open Space Requirements (Neighborhood, Community, and Regional)

A minimum of 20 percent of the gross site area shall be landscaped open space.

E. Floor Area Ratio (Community and Regional Only)

The maximum floor area ratio shall be 0.30. Floor area ratio is the gross floor area of all buildings or structures on a lot divided by the total lot area.

F. Setbacks (Community and Regional Only)

Shopping center developments that are adjacent to or across a public road right-of-way from a residential zoning district shall provide a minimum building setback of 60 feet.

G. Outdoor Storage (Neighborhood, Community, and Regional)

The outdoor area devoted to storage, loading, and display of retail goods shall be limited to a maximum 15 percent of the net developable lot area and shall provide screening in accordance with the provisions of [Section 16.04, B](#). All refuse shall be contained in completely enclosed facilities. Trailers used for the storage of retail goods shall be located at the rear of the principal building and shall be screened from abutting streets and residentially zoned or used parcels.

H. Screening (Community and Regional Only)

There shall be a minimum landscaped buffer strip of 30 feet in width along all public road right-of-way lines and 15 feet in width along all side and rear property lines. No parking is permitted within the buffer strip. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of natural vegetation, fences, walls, or berms. Such screening shall be installed, located, or constructed so as to create an effective screen. All outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.04, B](#).

I. Driveways and Curb Cuts (Community and Regional Only)

On a corner tract, no curb cut shall be located closer than 75 feet to the closest right-of-way line extended from the intersecting public or private road. No curb cut shall be located closer than 25 feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent uses be less than 125 feet. A freestanding use within the shopping center development shall have no more than 2 curb cuts on any single public right-of-way, and such curb cuts shall have a minimum distance of 125 feet between them.

J. Coordinated Design Plan (Neighborhood, Community, and Regional)

Exterior building materials, signs, and outdoor lighting used in a shopping center development, including outparcels, shall be planned so as to provide a coordinated design scheme for the entire development. The coordinated design plan shall be submitted for review at the time of site plan submission. The coordinated design plan shall include drawings, specifications, dimensions, and maps.

K. Access (Community and Regional Only)

Access to the use shall be from a thoroughfare or higher classified street that has the capacity to accommodate the additional traffic projected to be generated by the shopping center.

L. Traffic Impact Assessment (Community and Regional Only)

A traffic impact assessment shall be provided in accordance with NCDOT standards and specifications for traffic impact assessments.

M. Building Materials (Neighborhood, Community, and Regional)

New buildings shall be constructed of materials that are consistent with the materials used in the construction of existing buildings within the community. Those portions of buildings visible from a public street right-of-way shall be sheathed in materials such as wood siding, stone, brick, tilt-up concrete panels, and sandstone and tinted/textured concrete masonry units (CMUs) in a low reflective, subtle or neutral color. Building facades that extend greater than 100 linear feet shall incorporate into the design recesses and projections to cover at least 20 percent of the total building frontage. No more than 40 percent of the façade of any principal building facing a public street right-of-way shall be glass or reflective material.

N. Outdoor Lighting Standards (Neighborhood, Community, and Regional)

90 percent cutoff on pole lighting; a maximum height of 30 feet on all pole lighting; colors and elevation details of poles and fixtures are to be standard aluminum gray or black; the intensity of the lighting at the property lines and public streets shall be minimized to a maximum of 3-foot candles; no lighting elements shall be directly visible from any public roadway, sidewalk, or adjacent property; any floodlighting attached to the building walls shall be angled so as to not cast light directly onto adjacent properties and/or road rights-of-way.

O. Architectural Rendering (Neighborhood, Community, and Regional)

An architectural rendering of the proposed shopping center shall be submitted for review at the time of site plan submission.

8.85 Solid Waste Disposal, CDLF and LCID Landfills

A. Where Development Standards are Required

A-1 district.

B. Use Separation

Fifty feet minimum from any property line; three hundred feet minimum from any residence.

C. Access

Access to the landfill site shall be controlled with gates, chains, fences, ditches, and/or vegetation to prevent unregulated dumping.

D. Dust

All unpaved areas shall be maintained in a manner that prevents dust from leaving the property.

E. Operation

No filling is permitted in the 100-year floodplain of any stream; no filling is permitted in utility easements. The operation of the facility shall be in compliance with the State of North Carolina's operation, maintenance, and monitoring regulations for solid waste disposal facilities.

F. Closure

Landfills shall be closed with a minimum of 2 feet of clean soil, graded to a maximum slope of 3:1 and stabilized with vegetation or in accordance with current state standards.

G. Signs

An entrance sign shall be posted and maintained which lists the name and phone number of the current operator, the types of material accepted, the hours of operation, tipping charges and any other pertinent information.

H. Siting and Design

The siting and design of the facility shall comply with the applicable requirements of the NC *Solid Waste Management Rules*.

8.86 Solid Waste Disposal, Sanitary Landfill; Land Application of Sludge or Petroleum-contaminated Soil

A. Where Development Standards are Required

A-1 district

B. Use Separation

All structures, buildings, and landfilling operations shall be a minimum of 300 feet from a residentially-zoned or used lot.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Access

1. Access to the facility shall be by way of a collector or higher classified road.
2. Entrances shall be controlled to prevent unregulated access to the facility.
3. Access roads leading to any part of the facility shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner.
4. No part of access roads shall be located closer than 15 feet to an external property line other than a limited access highway or railroad right-of-way line.
5. A truck route plan shall be submitted showing truck routes to and from the facility. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses which will be negatively affected by truck traffic.

E. Minimum Area

1. A minimum of 50 acres shall be required to establish a sanitary landfill facility.
2. All other types of solid waste disposal facilities such as land application sites, collection sites, convenience centers, and transfer sites shall have sufficient land area to adequately accommodate the facility's operations and to sufficiently separate the facility from adjoining land uses.

F. Siting and Design

The siting and design of the facility shall comply with the applicable requirements of the NC *Solid Waste Management Rules*.

G. Operation

The operation of the facility shall be in compliance with the State of North Carolina's operation, maintenance, and monitoring regulations for solid waste disposal facilities.

8.87 Special Temporary and Seasonal Events

A. Where Development Standards are Required

All districts.

B. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the special temporary event.

C. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

D. Parking

The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the special temporary event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the rights of adjacent and surrounding property owners.

E. Health Department Requirements

The event shall comply with all applicable health department requirements for sanitation and public health safety.

F. Duration

The permit shall be valid for a period not exceed 14 days.

8.88 Superstores

A. Where Development Standards are Required

B-1 and B-2 districts.

B. Open Space Requirements

A minimum of 20 percent of the gross site area shall be landscaped open space.

C. Floor Area Ratio

The maximum floor area ratio shall be 0.30. Floor area ratio is the gross floor area of all buildings or structures on a lot divided by the total lot area.

D. Setbacks

Superstores that are adjacent to or across a public road right-of-way from a residential zoning district shall provide a minimum building setback of 60 feet.

E. Outdoor Storage

The outdoor area devoted to storage, loading, and display of retail goods shall be limited to a maximum 15 percent of the net developable lot area and shall provide screening in accordance with the provisions of [Section 16.04, B](#). All refuse shall be contained in completely enclosed facilities. Trailers used for the storage of retail goods shall be located at the rear of the principal building and shall be screened from abutting streets and residentially zoned or used parcels.

F. Screening

There shall be a minimum landscaped buffer strip of 30 feet in width along all public road right-of-way lines and 15 feet in width along all side and rear property lines. No parking is permitted within the buffer strip. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of natural

vegetation, fences, walls, or berms. Such screening shall be installed, located, or constructed so as to create an effective screen. All outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.04, B.](#)

G. Driveways and Curb Cuts

On a corner tract, no curb cut shall be located closer than 75 feet to the closest right-of-way line extended from the intersecting public or private road. No curb cut shall be located closer than 25 feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent uses be less than 125 feet.

H. Access

Access to the use shall be from a thoroughfare or higher classified street that has the capacity to accommodate the additional traffic projected to be generated by the superstore.

I. Impact Assessments

A traffic impact assessment shall be provided in accordance with NCDOT standards and specifications for traffic impact assessments.

J. Building Materials

New buildings shall be constructed of materials that are consistent with the materials used in the construction of existing buildings within the community. Those portions of buildings visible from a public street right-of-way shall be sheathed in materials such as wood siding, stone, brick, tilt-up concrete panels, and sandstone and tinted/textured concrete masonry units (CMUs) in a low reflective, subtle or neutral color. Building facades that extend greater than 100 linear feet shall incorporate into the design recesses and projections to cover at least 20 percent of the total building frontage. No more than 40 percent of the façade of any principal building facing a public street right-of-way shall be glass or reflective material.

K. Outdoor Lighting Standards

90 percent cutoff on pole lighting; a maximum height of 30 feet on all pole lighting; colors and elevation details of poles and fixtures are to be standard aluminum gray or black; the intensity of the lighting at the property lines and public streets shall be minimized to a maximum of 3-foot candles; no lighting elements shall be directly visible from any public roadway, sidewalk, or adjacent property; any floodlighting attached to the building walls shall be angled so as to not cast light directly onto adjacent properties and/or road rights-of-way.

L. Architectural Rendering

An architectural rendering of the proposed superstore development shall be submitted for review at the time of site plan submission.

8.89 Swim and Tennis Club

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Minimum Area

The minimum area shall be 2 acres.

C. Use Separation

There shall be a minimum 50-foot distance between clubhouses, swimming pools, and lighted tennis courts and any adjacent residentially used or zoned property.

D. Operation

1. The hours of operation allowed shall be compatible with the land uses adjacent to the facility.
2. The amount of noise operated shall not disrupt the activities of the adjacent land use.

E. Screening

Parking lots shall be screened from adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02](#).

F. Security Fencing

Outdoor swimming pools shall be protected by a fence in accordance with the Albemarle Regional Health Department's public swimming pool regulations.

8.90 Swine Farms

A. Where Development Standards are Required

A-1 district.

B. Conformance with Swine Farm Siting Act

The use shall comply with the standards of the Swine Farm Siting Act, NCGS 106-803, which delineates requirements for the siting of swine houses, lagoons, and the land area onto which waste is applied.

8.91 Temporary Emergency, Construction, and Repair Residence

A. Where Development Standards are Required

All districts.

B. Time Limitation

1. Temporary security residences and construction offices used on construction sites of nonresidential premises shall be removed within 30 days after the issuance of a final certificate of occupancy.
2. Permits for temporary residences and offices to be occupied pending the construction, repair, or renovation of the permanent residential building on a site shall expire within 12 months after the date of issuance, except that the Zoning Administrator may renew such permit if he/she determines that such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.

C. Use of Manufactured Home

The use of manufactured homes as temporary emergency, construction and repair residences is permissible in all zoning districts.

8.92 Temporary Retail Mobile Vendor

A. Where Development Standards are Required

B-1, B-2, and B-3 districts.

B. Accessory Use Only

1. A temporary retail mobile vendor shall only be permitted as an accessory use to a principal use.
2. A temporary retail mobile vendor shall only be located on a lot that contains a permanent, principal structure.

C. Setback Requirements

1. Road Setback. A temporary retail mobile vendor structure shall be located no closer than 40 feet from the road right-of-way.
2. Side Setback. A temporary retail mobile vendor structure shall be located no closer than 10 feet from a side property line.

D. Time Limitation

Permits for a temporary retail mobile vendor shall expire within 6 months after the date of issuance.

E. Parking

A temporary retail mobile vendor shall be located on a lot that encompasses sufficient lot area to accommodate the off-road parking needs of both the principal use and the temporary retail mobile vendor.

F. Public Safety

The Zoning Administrator shall not issue a permit for a temporary retail mobile vendor if the Zoning Administrator determines that the proposed location of the temporary retail vendor structure or other site conditions would reasonably create a safety hazard to pedestrians and/or the motoring public.

8.93 Temporary Shelter

A. Where Development Standards are Required

R-5 and B-1 districts.

B. Time Limitation

The Zoning Administrator shall initially establish an automatic expiration date for the permit for such a facility with provisions for a maximum 6-month renewal, if necessary.

C. Location

The facility shall be contained within the building of and operated by a government agency or nonprofit organization.

D. Minimum Floor Area

A minimum floor space of 50 square feet shall be provided for each individual sheltered.

E. Operation

The facility shall provide continuous on-site supervision during the hours of operation.

8.94 Theater (Outdoor)

A. Where Development Standards are Required

B-1 and B-2 districts.

B. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the outdoor theater.

C. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses. No central loudspeakers or public address system shall be permitted.

D. Parking

The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners. Vehicle stacking lanes shall be available outside the theater ticketing booth and shall have sufficient capacity to prevent interference with the flow of traffic on the road providing access to the site.

E. Access

Principal access must be from a collector or higher capacity road.

F. Location

No part of any theater projection screen, projection booth, or other building shall be located closer than 500 feet to any residentially-used or zoned property or any closer than 50 feet to any other property line or public road right-of-way. No parking space shall be located closer than 100 feet to any residentially-used or zoned property. The theater projection screen shall not face a road or highway.

8.95 Tobacco and Tobacco Products (Wholesale Trade of)

A. Where Development Standards are Required

A-1 district.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.

C. Access

Principal access shall be from a collector or higher capacity road.

D. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

E. Dust

All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

F. Screening

All parking lots and outside storage areas shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.04, B.](#)

8.96 Tourist Home

A. Where Development Standards are Required

R-5, R-40, and A-1 districts.

B. Operation

1. The use must be owned and operated by a resident owner.
2. The use shall be located in a structure that was originally constructed as a dwelling.
3. Meals served on the premises shall be only for guests of the facility.

C. Signs

There shall be no exterior advertising except that which is permitted for a home occupation.

D. Screening

Parking lots shall be screened from adjoining residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Section 16.02.](#)

8.97 Townhouse and Condominium Dwellings

A. Where Development Standards are Required

R-5, B-1, B-2, and B-3 districts.

B. Lot Area Requirements

Minimum lot area requirements for individual townhouse lots and condominium units are waived. However, the overall development parcel shall not exceed the maximum residential density for multifamily dwellings for the zoning district in which located.

C. Setbacks

Setbacks for individual townhouse dwelling units and condominium units are waived. However, the minimum setbacks of the district in which located shall be applicable to the external lot boundaries of the townhouse development.

D. Lot Access Requirements

Lot access requirements for individual townhouse dwelling units and condominium units are waived. However, individual units shall have right-of-access through common areas containing private streets or drives.

E. Roads and Drives

Individual parcels, whether leased or sold, shall have shared rights of access along private roads and/or along private drives at least twenty-four feet in width leading to a publicly maintained road. Maintenance of all private roads and private drives shall be a mandatory responsibility, running with the land, exercised by a single entity which shall be composed of one landowner, an owners' association, or all owners acting collectively pursuant to a binding agreement.

F. Common Areas and Facilities

A homeowners' or property owners' association shall be established and incorporated to accept conveyance and maintenance of all common areas and facilities. Minimum useable open space and recreational space shall be provided in accordance with the requirements of [Section 16.10](#).

G. Screening

All parking lots shall be screened from all adjoining residential uses by a buffer yard. The required buffer yard shall comply with the planting requirements of [Section 16.02](#).

H. Minimum Spacing

The minimum spacing between townhouse structures shall be 20 feet.

I. Plans and Declarations

Plans and declarations for condominium developments shall comply with the requirements of the North Carolina Condominium Act (NCGS Chapter 47C).

8.98 Traditional Neighborhood Development (TND)

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, A-1, B-1, B-2, and B-3 districts.

B. General Design Principles

TNDs shall adhere to the following general principles and design standards:

1. Neighborhoods have clearly delineated centers and edges and are limited in size to promote pedestrian activity.
2. The distance from the center to the edge of a neighborhood is generally no greater than $\frac{1}{4}$ to $\frac{1}{2}$ mile.
3. TNDs provide a balanced mix of residential, retail, professional and personal service, office, civic, public, and recreational uses.

4. Residential uses include a diversity of housing types.
5. Street patterns are interconnected and blocks are short.
6. TNDs are organized around an activity center consisting of shopping, offices, public, and civic uses.
7. Public and civic uses, such as schools, libraries, government offices, parks and recreational facilities, plazas, and village greens are prominent features and focal points.
8. Formal and informal open space is located throughout a TND

C. Development Area Requirements

A minimum of 10 acres shall be required for a TND.

D. Minimum Lot Area

Individual lot sizes may be reduced below the minimum specified in [Table 6-1, Table of Density and Dimensional Requirements](#) for the district in which the TND is located. However, the overall residential density of a TND shall not exceed that specified in [Section 6.09, C](#). Uses utilizing septic systems shall comply with the minimum lot area requirements of the Environmental Health Services Division of the Albemarle Regional Health Department.

E. Dimensional Requirements

To promote flexibility and creativity, dimensional standards shall be established in accordance with the TND purpose and design principles. The determination of appropriate building setbacks, lot coverage, building heights for proposed uses will be made during the special use permit review process.

Each lot created within a TND shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this Ordinance.

F. Permissible Residential Densities

The permitted density of the residential component of a TND shall be determined during the special use permit review process but in no case shall exceed the maximum density delineated in the following table:

Zoning District	Maximum DU/Gross Residential Acre
R5	15
R15	6
R25	4
RMH25	4
R40	4
A1	4
B1	15
B2	15
B3	15

Factors taken into consideration in determining the permissible density of a specific TND shall include the anticipated vehicular traffic, infrastructure, and environmental impacts of the proposed TND.

G. Permissible Residential Uses within a TND

Permissible residential uses within a TND include single-family detached dwellings, two-family dwellings, townhouse dwellings, manufactured homes (in zoning districts where manufactured homes are permitted by Table 6-1), multi-family dwellings, and live/work units.

H. Permissible Nonresidential Uses within a TND

Nonresidential uses allowed within a TND shall be the same as those specified for the underlying zoning district in Table 5-1, Table of Permitted Uses. In addition, in R-5, R-15, R-25, RMH-25, R-40, and A-1 zoning districts, the following commercial uses are permitted provided that no more than 15 percent of the total land area of a TND shall be used for such commercial uses:

1. Business, Professional and Personal Services:

- Accounting, Auditing or Bookkeeping
- Administrative or Management Services
- Bank, Savings and Loan, or Credit Union
- Barber Shop
- Beauty Shop
- Clothing Alteration or Repair
- Computer Maintenance and Repair
- Employment Agency, Personnel Agency
- Engineering, Architect or Survey Service
- Finance or Loan Office
- Insurance Agency
- Laundromat, Coin-Operated
- Law Office
- Medical, Dental or Related Office
- Photography, Commercial Art Studio
- Real Estate Office
- Shoe Repair or Shoeshine Shop

2. Retail Trade:

- ABC Store (liquor)
- Antique Store
- Arts and Crafts
- Bakery
- Bar, Night Club, Tavern
- Bookstore, except Adult Bookstore
- Computer Sales
- Convenience Store
- Drugstore

- Florist
- Food Store
- Hardware Store
- Newsstand
- Optical Goods Sales
- Pet Store
- Record and Tape Store
- Restaurant (without drive-thru)
- Service Station, Gasoline Sales
- Video Tape Rental and Sales, except Adult Video Store

No nonresidential use shall be permitted within 150 feet of the perimeter of the traditional neighborhood development unless the same or a similar use exists adjacent to the perimeter at the time of approval of the TND or is a use permitted by zoning on the adjoining property.

Building permits for commercial uses in TNDs located in R-5, R-15, R-25, RMH-25, R-40, and A-1 zoning districts shall not be approved until building permits authorizing the construction of at least 30 percent of the total residential units have been issued. This restriction shall not apply, however, to a commercial use that is otherwise allowed in these zoning districts.

I. Land Allocation by Use Type

The minimum and maximum land area devoted to specific land use types shall be determined as follows:

Land Use Type	Minimum	Maximum
Single-family uses	15%	75%
Two-family and multi-family uses	10%	40%
Retail, service, and office uses	2%	30%
Civic Uses	2%	None

J. Open Space

TNDs shall provide a minimum of 5% of the gross land area as useable open space. This minimum 5% open space requirement shall be in addition to the minimum recreation and open space requirements for residential subdivision lots delineated in [Article VII, Section 5.0 of the Chowan County Subdivision Ordinance](#) and for unsubdivided residential components as delineated in [Section 16.10 A](#).

K. Street Design

The design and construction of streets within a traditional neighborhood development shall comply with the NCDOT's *Traditional Neighborhood Development (TND) Guidelines*.

8.99 Turkey Shoots

A. Where Development Standards are Required

A-1 and I-2 districts.

B. Setbacks

1. No turkey shoot shall be allowed within a required setback.
2. All turkey shoots shall be established with the line of fire perpendicular to and away from a road right-of-way. The line of fire is a line which passes through the firing point and bisects the target. The backstop or target area shall be located not less than 500 feet from the road right-of-way.
3. Sites adjacent to more than one road right-of-way must designate the higher classified road as the front, and set the line of fire perpendicular thereto. Any resultant line of fire parallel to a road must be a minimum distance of 200 feet from and parallel to the road right-of-way.
4. All backstops shall be constructed a minimum of 500 feet from a residence located to the rear and/or side of the backstop. The design of the backstop shall be as approved by the National Rifle Association.

C. Parking

A parking area adequate in size to park 2 cars for every backstop shall be provided.

D. Operation

1. Backstops shall be constructed of a material that will allow the shot to penetrate and not pass through. It shall be of a minimum thickness of 2 feet and maintained at a height of 4 feet above the target.
2. The firearms used in turkey shoots shall be limited to shotguns firing shot no larger than number eight. No firearms may be used which have been altered from manufacturer's specifications.
3. The operators of the turkey shoot shall be responsible for maintaining adequate fire protection by notifying the local fire department as to the dates and times of the turkey shoot.
4. Turkey shoots shall be limited to Thursdays, Friday, and Saturdays and be in operation no later than 10:00 pm.
5. Provisions for sanitation and refuse disposal must be made in accordance with health standards.

E. Permit Review

The Zoning Administrator shall coordinate the review of a request for a turkey shoot with the Albemarle Regional Health Department and the Sheriff's Department.

F. Permit Limitation

The Zoning Administrator shall issue a permit not to exceed 90 days in a given year for a qualifying turkey shoot.

8.100 Utility Related Appurtenances, Substations

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Dimensional Requirements

All buildings shall be considered accessory buildings or structures.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by Chowan County, involved with the use.

E. Screening

Any outdoor storage area shall be screened from an abutting residentially used or zoned lot by a buffer yard, which complies with the requirements of [Section 16.04, B.](#)

F. Dust

All unpaved outdoor use areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

8.101 Video Gaming Arcade

A. Where Development Standards are Required

B-1 district.

B. General Requirements

The requirements of this subsection are applicable to a video gaming arcade operated as a principal use, a combination use, or as an accessory or ancillary use to a principal use. These requirements do not apply to coin-operated arcades or businesses that do not include one or more video gaming machines as defined in [Article XV, Definitions and Word Interpretations](#). Video gaming arcades shall comply with the requirements of NCGS 14-306.1. If there is conflict between the requirements of NCGS 14-306.1 and the requirements of this Ordinance, the more restrictive standard shall apply.

C. Use Separation

No video gaming arcade shall be located within 500 feet of any other video gaming arcade, a church, elementary or secondary school, public park, or residentially-zoned property.

D. Location

A video gaming arcade shall be operated only within a permanent building.

E. Signs

No sign advertising the presence or operation of video gaming machines shall be allowed.

8.102 Water Treatment Plant

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts.

B. Use Separation

All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from a residentially used or zoned lot.

C. Noise

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by Chowan County, involved with the use.

8.103 Wineries

A. Where Development Standards are Required

A-1 district.

B. General Requirements

Wineries are permitted when located on the same parcel as the vineyard producing the grapes. The principal source of grapes for processing shall be grapes grown on the premises. Shipping grapes to the winery for processing is permissible in order to allow the winery to remain viable during years when the vines do not produce a sufficient supply of grapes.

C. Location

A setback of all principal buildings of not less than 50' from a public street and adjacent properties is required to maintain a rural agricultural and residential atmosphere.

D. Screening

Parking lots, outdoor storage areas, retail operations and the winery shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of [Sections 16.02 and 16.04, B](#). The site plan shall indicate any outdoor storage areas not associated with the agricultural operation to determine additional screening requirements.

E. Retail Operations

Retail operations accessory to the winery, such as a gift shop, tasting room, and a restaurant are permitted. The type of merchandise retailed from the premises is limited to products produced on the premises related to the vineyard and winery (wine, jellies, vine crafts, etc.) and products normally associated with such (wine crackers, stemware, cheese, etc).

F. Hours of Operation

Facilities that are open to the general public shall not conduct business between the hours of 10 p.m. and 8 a.m.

G. Dust

All unpaved parking and storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

H. Vehicular Access

Access to the premises shall be from a road that has the functional capacity to accommodate the anticipated traffic volume of the proposed operation. Generally, access shall be from a collector or higher capacity street.

I. Signs

There may be one freestanding sign erected per public road frontage. The sign(s) shall not exceed three feet in height and fifteen square feet in sign area when located within ten feet of the right-of-way. When located more than ten feet from the right-of-way, the sign(s) shall not exceed five feet in height and twenty-five square feet in sign area.

8.104 Wireless Communication Towers Under 50 Feet in Height

A. Where Development Standards are Required

R-5, R-15, R-25, RMH-25, R-40, and A-1 districts, except that communication towers on government facilities and structures are allowed by right in all zoning districts,

provided that applicable lease agreements are obtained. Communications towers that are 50 feet or greater in height, except for public safety communications towers, are governed by the provisions of [Section 7.05, Regulations for Wireless Communications Towers and Facilities](#). Public safety communications towers are allowed in accordance with the requirements of [Section 8.106](#).

B. Location

Towers shall not be placed in any front yard or side yard. All supporting cables shall be contained on the property.

8.105 Wireless Communication Towers Over 50 Feet in Height

A. Where Development Standards are Required

A-1, B-1, B-2, I-1, and I-2 districts, except that communication towers on government facilities and structures are allowed by right in all zoning districts, provided that applicable lease agreements are obtained. Public safety communications towers are allowed in all zoning districts by right.

B. Specific Requirements and Standards

Communications towers that are 50 feet or greater in height, except for public safety communications towers, shall comply with the requirements of [Section 7.05, Regulations for Wireless Communications Towers and Facilities](#).

8.106 Wireless Communication Towers, Public Safety

A. Where Development Standards are Required

All Districts

B. Specific Requirements and Standards

Public safety wireless communications towers shall comply with the requirements of [Section 7.05 L \(1\)\(d\)](#).

8.107 Solar Panels (Accessory)

An application for a proposed solar collector/energy system as an accessory to an existing structure must meet the following standards as a limited accessory use:

A. Solar Panel (Accessory) Design and Installation Requirements

All solar energy collectors, whether ground mounted or mounted on an existing structure, shall meet the minimum accessory structure zoning setbacks for the zoning district in which located. The height of the structure shall not be taller than the maximum allowed height of a structure in the zoning district in which located.

8.108 Solar Farm

A Solar Farm developed as a principal use shall require issuance of a special use permit and will be permitted in accordance with Table 5-1, subject to the following requirements. For all proposed developments falling within the defined Highway Corridor Overlay District, the standards outlined under Section 7.03 shall apply.

A. Setbacks

Solar farms shall meet the minimum zoning setbacks for the zoning district in which located.

B. Height

15 feet maximum.

C. Visibility

Solar farms must meet the requirements of Article 16, Section 16.04 (B). These standards will be enforced regardless of the facilities proximity to adjacent structures or roadways.

Applicants may submit alternative methods for screening wind farm facilities as part of the project review process. In utilizing this option, applicants must establish screening through a combination of fencing and vegetation. The alternative plan for screening must be outlined on a landscaping plan prepared by a registered landscape architect or engineer.

D. Application Requirements

1. Submit a site plan denoting the dimensions of the parcel, proposed solar farm location (arrangement of panels), distance from the proposed area to all property lines, and location of the driveway(s). No portion of the system area may encroach into the required setbacks and any buffer area(s).
2. The site plan should also show the location of any required buffers as outlined in Section 8.108(C).
3. Submit horizontal and vertical (elevation) to-scale drawings with dimensions. The drawings must show the location of the system on the property.
4. State and Local Stormwater permits may be required based upon ground cover.
5. If applicable, the applicant must apply and receive from the North Carolina Department of Transportation (NCDOT) a driveway permit, or submit documentation from NCDOT that the existing site access is acceptable for the required use prior to final project approval.

E. Installation and Design

1. Approved Solar Components – Electric solar energy system components must have a UL listing and must be designed with anti-reflective coating(s).
2. Compliance with Building and Electrical Code – All solar farms shall meet all requirements of the International Building Code with North Carolina Amendments.

8.109 Wind Energy Facilities (Small, Medium, Large)

A. Zoning Districts

Small:	A-1
Medium:	A-1
Large:	A-1

B. Preamble

Wind Energy Facilities may be permitted in districts as designated in the Table of Permitted Uses, found at Article 5, Table 5-1, subject to the following requirements:

1. A Permit Application for a Wind Energy Facility shall contain the following:
 - (a) A narrative describing the proposed Wind Energy Facility, including an overview of the project;
 - (b) The proposed total rated capacity of the Wind Energy Facility;
 - (c) The proposed number, representative types and height or range of heights of Wind Turbines to be constructed, including their rated capacity, dimensions and respective manufacturers, and a description of ancillary facilities;
 - (d) Identification and location of the property or properties on which the proposed Wind Energy Facility will be located;
 - (e) A site plan showing the planned location of all Wind Turbines, property lines, setback lines, access roads, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all Occupied Buildings, Residences, and other features sufficient to demonstrate compliance with the setbacks required by this Article;
 - (f) Any Environmental Assessment required by state or Federal law;
 - (g) Decommissioning plans that describe the anticipated life of the Wind Energy Facility, the estimated decommissioning costs in current dollars, the salvage value of the equipment, and the anticipated manner in which the Wind Energy Facility will be decommissioned and the site restored;

- (h) Documentation of agreement between Participating Landowner(s) and the Applicant, Facility Owner, or Operator; and Signature of the Applicant.
 - (i) The applicant shall establish an escrow account in the name of Chowan County in the amount of \$50,000 to be used by the County for all County expenses related to the project.
- 2. Throughout the permit process, the Applicant shall promptly notify Chowan County of any proposed changes to the information contained in the permit application that would materially alter the impact of the project.
- 3. Changes to the approved application that do not materially alter the initial site plan may be administratively approved by the Zoning Administrator. Major modifications to the approved Conditional Use Permit will require a new Application and approval by the Planning Board and Board of County Commissioners in the same manner as the original Conditional Use Permit. Major Modification is defined as an expansion of the project boundary or an increase in the number of turbines. A decrease in the number of turbines or the relocation of any turbine on the site plan within the project boundary is not a Major Modification so long as the turbine locations conform to development standards of the ordinance.
- 4. Wind Turbine Height and Setback Multipliers and Minimum Lot Sizes:
The Setbacks shall be calculated by multiplying the required setback number by the Wind Turbine Height and measured from the center of the Wind Turbine base to the property line or the nearest point on a public road right-of-way or the nearest point on the foundation of a Residence or an Occupied Building. For a Wind Energy Facility, Large, the minimum lot size is the minimum combined acreage of lots that are under lease or agreement with the Applicant or Wind Energy Facility Owner pertaining to the Wind Energy Facility.

Lot Size, Setback and Height Requirements

Facility Type	Minimum Lot Size	Minimum Setback Requirements				Maximum Height
		Occupied Buildings	Residences	Property Line (Non-Participating Property)	Public Roads	
Small Facility	43,000 Sq. Ft.	1.5	1.5	1.1	1.5	120 feet
Medium Facility	250 Acres	2.0	2.0	1.5	1.5	250 feet

Large Facility	500 Acres	2.5	2.5	1.5	1.5	600 feet
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Setback requirements may be waived by a property owner so long as such waiver is in writing and signed by the property owner and recorded in the Chowan County Register of Deeds Office.

5. Sound and Shadow Flicker

This Section shall only apply to Large Wind Energy Facilities. Sound and Shadow Flicker issues for Small and Medium Wind Energy Facilities are addressed by setbacks.

- (a) Audible sound from a Large Wind Energy Facility shall not exceed fifty-five (55) dBA, as measured at any Occupied Building or Residence on the property of a Non-Participating Landowner.
- (b) Shadow Flicker on any Occupied Building or Residence on a nonparticipating landowner's property caused by a Large Wind Energy Facility must not exceed thirty (30) hours per year.
- (c) Sound and/or Shadow Flicker provisions may be waived by a property owner so long as such waiver is in writing, signed by the property owner and recorded in the Chowan County Register of Deeds Office.

6. Installation and Design

- (a) The installation and design of the Wind Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute, and take into consideration local conditions.
- (b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, state and national codes.
- (c) The visual appearance of a Wind Turbine shall at a minimum:
 - i. Be a non-obtrusive color such as white, off-white or gray;
 - ii. Not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety; and
 - iii. Not display advertising (including flags, streamers or decorative items), except for identification of the Wind Turbine manufacturer, Facility Owner and Operator.

7. Decommissioning

- (a) The Wind Energy Facility Owner shall have twelve (12) months to

complete decommissioning of the Wind Energy Facility if no electricity is generated for a continuous period of twelve (12) months. For purposes of this Section, this twelve (12) month period shall not include delay resulting from Force Majeure.

- (b) Decommissioning shall include removal of Wind Turbines, buildings, cabling, electrical components, roads, and any other associated facilities down to thirty-six (36) inches below grade.
- (c) Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
- (d) Prior to the issuance of a building permit, the owner of a Medium or Large Wind Energy Facility shall provide a cash bond in favor of the County in an amount equal to the estimated removal cost of the Wind Energy Facility. The bond shall remain in full force and effect until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the Conditional Use Permit.

8.110 Recycling Centers

A recycling center developed as a principal use shall be permitted in accordance with Table 5-1, subject to the following:

- A. Recycling centers shall be located five hundred feet or more from any existing residential use. This distance shall be measured from the location of the actual recycling center operation, and not from the property boundaries within which the use is located.
- B. No recycling center operation shall exceed five acres in size.
- C. Any given piece of material collected through operation of the recycling center may not remain on-site for a period exceeding thirty days.
- D. No recycling centers may be developed within a defined Highway Corridor Overlay District.
- E. All new recycling centers must comply with the landscaping screening standards outlined under Section 16.04 (B). If a newly established recycling center is not subject to these standards then screening shall be provided to shield the operation from the right-of-way or road providing access to the site. The method used for screening may be determined by the applicant, but must be approved by the Planning Board in conjunction with the issuance of a special use permit.